

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JANE ROE and JANE DOE, individually and  
on the behalf of all others similarly situated,

Plaintiffs,

vs.

EMPIRE BLUE CROSS BLUE SHIELD and  
ST. JOSEPH'S MEDICAL CENTER,

Defendants.

**Civil Action No.: 12 cv 4788 (NSR)**

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiffs in the above-captioned matter, hereby appeal to the United States Court of Appeals for the Second Circuit from the May 2, 2014 Judgment entered on the May 1, 2014 final Opinion & Order of United States District Judge for the Southern District of New York, Honorable Nelson S. Román, granting Defendants' motions to dismiss Plaintiffs' Complaint, a true copy of which is annexed hereto.

Dated: May 22, 2014  
New York, New York

Respectfully submitted,

**NEWMAN FERRARA LLP**

By: 

Jeffrey M. Norton  
Randolph M. McLaughlin  
Debra S. Cohen  
1250 Broadway, 27<sup>th</sup> Floor  
New York, New York 10001  
Tel: 212-619-5400  
Fax: 212-619-3090

***Counsel for Plaintiffs***

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
JANE ROE AND JANE DOE, individually and  
on behalf of all others similarly situated,

Plaintiffs,

12 CIVIL 04788 (NSR)

-against-

**JUDGMENT**

EMPIRE BLUE CROSS BLUE SHIELD and  
ST. JOSEPH'S MEDICAL CENTER,

Defendants.  
-----X

Defendant St. Joseph's Medical Center having moved to dismiss on January 24, 2014 (Doc. #28) and plaintiffs having moved for preliminary injunction on January 24, 2014 (Doc. #32) and defendant Empire Blue Cross Blue Shield having moved to dismiss on January 27, 2014 (Doc. #37), and the matter having come before the Honorable Nelson S. Román, United States District Judge, and the Court thereafter, on May 1, 2014, having handed down its Opinion and Order (Doc. #45) granting Defendants' Motions to dismiss, it is,

**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order (Doc. #45), Defendants' Motion to dismiss is granted and the Complaint is dismissed; accordingly, the case is closed.

**Dated:** White Plains, New York  
May 2, 2014

  
CLERK

**RUBY J. KRAJICK**  
Clerk of Court

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: _____
--